

# INFORMATION LETTER

Not for  
Publication

## NATIONAL CANNERS ASSOCIATION

For Members  
Only

No. 923

Washington, D. C.

February 27, 1943

### BROWN MAKES GRADE LABEL STATEMENT

#### Price Administrator Says That OPA Will Proceed With Program For 1943 Packs

The following press statement on the grade labeling situation was released February 26 by the Office of Price Administration:

"To set at rest rumors to the contrary that have been given wide circulation in the food industry, Price Administrator Prentiss M. Brown today reiterated that the Office of Price Administration would require grade labeling of the 1943 pack of canned fruits and vegetables.

"First announcement that this would be required was made last December, and on January 22 a regulation was issued putting it into effect for canned grapefruit juice.

"Mr. Brown emphasized that grade labeling is not a 're-form measure,' but is a step absolutely essential to the effective control of canned fruit and vegetable prices during wartime.

"The Office of Price Administration is about to start the rationing of these products," Administrator Brown stated. "Consumers will be interested as never before not only in spending their money wisely, but in getting a maximum return from the family supply of rationed points. Rationing only defines the quantity of a scarce commodity available to each person. It remains, then, for OPA price regulations to be tied in with quality to the end that every housewife shopping for rationed items will be able to know the grade of the product she is buying. The armed forces already require the grading of the canned goods they buy.

"Unless we tie price to grade, it would be necessary to price canned products at the processor level on the basis of a complex formula such as OPA used for last year's pack. Only by flat pricing by grades can the wide variation in

quality and costs resulting from the packing of ungraded products from ungraded fruits and vegetables be reduced to understandable terms for price control purposes. By requiring grade labeling, OPA makes it possible to set uniform dollars-and-cents ceiling prices at the processor level and to carry these ceilings through to the final consumer.

"For these reasons, the Office of Price Administration will proceed with its grade labeling program for the 1943 canned goods pack."

### RATINGS ASSIGNED FOR SHIPPING BOXES

#### Order P-140 Covers Containers for Lend-lease Foods and Other Essential Uses

Preference Rating Order P-140 was issued by the War Production Board on February 24 to assure producers and shippers of critical materials (Lend-lease foods, and other essential items) the necessary wooden and fiber shipping containers.

The order covers all outer wooden containers made from lumber, veneer, plywood or staves, and outer shipping containers made from corrugated or solid fiber. It also includes parts, such as shocks, cleats, staves, veneer, plywood, corrugated or solid fiber which are cut to size for such containers. Under its provisions, preference ratings are assigned for the procurement of such shipping containers. Text of P-140 follows.

#### I 3180.1 PREFERENCE RATING ORDER P-140

##### (a) Definitions.

For the purposes of this order:

(1) "Shipping container" means any empty new or used box, crate, case, barrel, keg, kit, pail, tub, drum, basket, or hamper, in set-up or knock-down form, which is made in whole or in part from wood or corrugated or solid fibre and which is used as an outer container for the delivery or shipment of materials. The term does not include trunks, luggage or military locker boxes.

(2) "Part" means any shock, cleat, stave, heading, veneer, plywood, or corrugated or solid fibre which is cut to size for a shipping container.

(3) "User" means any person who:

(i) Uses shipping containers for the shipment or delivery of materials in connection with the sale thereof;

(ii) Gives, sells, rents or lends shipping containers to his suppliers of any product for their use in shipping or delivering such product to him.

##### (b) Assignment of preference ratings.

(1) Preference ratings are hereby assigned as follows to deliveries of shipping containers or parts for the uses indicated below:

(i) AA-1 for the uses specified in List 1 attached hereto;

(ii) AA-2X for the uses specified in List 2 attached hereto;

(iii) AA-3 for the uses specified in List 3 attached hereto;

(iv) AA-4 for the uses specified in List 4 attached hereto;

(v) AA-5 for the uses specified in List 5 attached hereto.

### Legislative Committee Holds Meeting

Because of accumulating problems in cannery production plans for 1943, a meeting of the Legislative Committee of the Association was held in Washington during the past week, following meetings of the Manpower and Labeling Committees the previous week. The object of these meetings was to canvass the entire situation, to acquaint the appropriate government agencies with the difficulties in the way of obtaining the desired maximum canned food production, and to suggest such measures as are considered necessary to remove obstacles to completion of production plans. Committee members expressed unanimous agreement that only early and definite action by government agencies in control of the food production program would enable the industry to reach the production goals that have been set up.

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(2) Preference ratings for uses not specified in the Lists attached hereto, as well as preference ratings differing from those assigned for Listed uses in accordance with subparagraph (1) of this paragraph (b) may, on application by any person on Form PD 802, be assigned to deliveries of shipping containers or parts by the Director General for Operations. Such assignment shall be accomplished by returning to the applicant an approved copy of said Form PD 802.

(3) Except where specifically stated to the contrary, the preference ratings assigned hereunder shall be available for the uses authorized, irrespective of whether or not the materials to be placed in the shipping containers have any inner wrappings or containers.

*(c) Application and extension of preference ratings.*

(1) The preference ratings assigned pursuant to paragraphs (b) (1) and (2) above may be applied by any user in the manner provided in Priorities Regulation 3, for the purpose of obtaining shipping containers or parts for the uses indicated.

(2) Notwithstanding the provisions of any other preference rating order, preference rating certificate, or Regulation of the War Production Board, on and after February 24, 1943, no person receiving a rated order for the delivery of shipping containers or parts shall extend such rating to obtain any materials (other than parts as herein defined) for use in the manufacture of such shipping containers or parts; but if the person receiving such rated order acquires shipping containers or parts for redelivery without fabrication by him, other than the assembly of parts, he may extend such rating (as provided in Priorities Regulation 3) to such purchases.

(3) Notwithstanding any contrary provision of any Regulation of the War Production Board, no person eligible under this paragraph (c) to apply or extend preference ratings hereunder shall be considered ineligible because he is a PRP unit.

*(d) Ratings applicable to existing unfilled orders.*

(1) Preference ratings assigned hereunder may be applied or extended to any unfilled order for shipping containers or parts placed prior to February 24, 1943. Any ratings so applied or extended shall supersede any other ratings applicable to such orders to the extent provided by Priorities Regulation 12.

(2) No person shall give effect to any preference rating which has been applied or extended to any existing unfilled order placed prior to February 24, 1943, for shipping containers or parts, unless

(i) Such preference rating has been applied or extended to such order after February 24, 1943, in accordance with subparagraph (1) of this paragraph (d), or

(ii) The items covered by such order are actually in transit or delivered to the customer on or before the 11th day of March, 1943, or

(iii) He has been advised in writing by the person from whom such order was received that the rating originally applied or extended thereto is consistent with the ratings assigned under this order.

(3) The provisions of this paragraph (d) shall not affect rated orders placed prior to February 24, 1943, for the delivery of materials, other than parts, to be used in the manufacture of shipping containers or parts, nor require the cancellation or rerating of such orders.

*(e) Restrictions on application, extension and acceptance of other ratings.*

(1) Subject to the provisions of paragraph (f) of this order, but notwithstanding any contrary provisions of any other preference rating order, preference rating certificate or regulation of the War Production Board, no person shall apply or extend any preference rating, for the delivery of shipping containers or parts except as specified in and in accordance with this order.

(2) No person receiving an order for shipping containers or parts shall give effect to any preference rating applied or ex-

tended thereto on and after February 24, 1943, if he knows or has reason to believe that said rating has not been applied or extended in accordance with the provisions of this order.

*(f) AAA ratings.*

Nothing in this order shall apply to or in any way restrict the application or extension of any rating of AAA.

*(g) Miscellaneous provisions.*

(1) *Applicability of regulations.* Except as otherwise provided in this order, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as same may be amended from time to time.

(2) *Effect of other orders.* The assignment of preference ratings hereunder shall not constitute authorization for the delivery, receipt, manufacture or use of any materials in violation of the provisions of any conservation or limitation order heretofore or hereafter issued by the Director of Priorities of the Office of Production Management, the Director of Industry Operations, or the Director General for Operations of the War Production Board.

(3) *Records.* In addition to the records required to be kept under Priorities Regulation No. 1, a user and each other person placing or receiving any purchase order or contract rated pursuant to this order shall retain for a period of two years for inspection by representatives of the War Production Board endorsed copies of all such orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such a manner that they can be readily segregated for such inspection.

(4) *Reports.* Each person who applies a preference rating assigned by or pursuant to this order shall file such reports as may be required from time to time.

(5) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C. Ref.: P-140.

\* \* \* \* \*

**LISTS OF USES OF SHIPPING CONTAINERS TO WHICH PREFERENCE RATINGS ARE ASSIGNED BY ORDER P-140**

**LIST 1—AA-1**

**Shipping containers or parts for:**

(a) The delivery or shipment, to the Army or Navy of the United States of the following combat end-products complete for tactical operations—

*(Editor's Note—Most of the items included on this list are ammunition and similar war materials. However, the list does include emergency rations, canned meats, fish and poultry, canned butter and powdered milk, and canned dried eggs.)*

**LIST 2—AA-2X**

**Shipping containers or parts for the following uses to the extent not covered by List 1:**

(1) Export shipment of any article to any point outside of the forty-eight States of the United States, the District of Columbia, or Canada.

(2) Delivery or shipment of materials to or for the account of the Army or Navy of the United States (exclusive of United States Army or Marine Corps Post Exchanges or United States Navy Ships Service Departments located within the Continental limits of the United States), the United States Maritime Commission, the War Shipping Administration and the Panama Canal.

(3) Delivery or shipment of materials which are to be physically incorporated into products to be delivered to or for the account of any of the following, where orders for the shipping containers or parts indicate that they are to be used solely for such delivery or shipment:

Army or Navy of the United States (exclusive of United States Army or Marine Corps Post Exchanges or United States Navy Ships Service Departments).

## INDUSTRY MINIMUM WAGE RATE COMMITTEE NAMED

### Will Formulate Recommendations Under Provisions of the Wage and Hour Law

The Wage and Hour Division of the Department of Labor has announced appointment of a committee, under the provisions of the Fair Labor Standards Act, to investigate conditions in the canned fruit and vegetable and related products industry as a basis for the recommendation of minimum wage rates for all employees in this industry. The committee will meet in New York City on March 17.

The Fair Labor Standards Act established a basic minimum hourly wage of not less than 25 cents an hour for the first year after its effective date -- October 24, 1938. This basic rate was then increased to 30 cents for the next six years. After seven years the rate was fixed at 40 cents an hour. But the Administrator of the law, it was provided, might establish a higher rate not to exceed 40 cents an hour upon recommendation of an industry committee representing equally the public, the employees, and the employers.

The committee now appointed has the duty of making the investigation provided for by the law and submitting its recommendations. In event it recommends that the minimum rate be increased, the limit of such increase is 10 cents an hour over the present rate of 30 cents an hour.

The personnel of the committee is as follows:

Public: Monsignor Francis J. Haas, Chairman, Washington, D. C.; Edith Abbott, Chicago, Ill.; Clarence E. Ayres, Austin, Tex.; G. O. Brannen, Fayetteville, Ark.; Virginius Dabney, Richmond, Va.; Lawrence Hernandez, Tampa, Fla.; William S. Hopkins, Palo Alto, Calif.; Arthur F. Raper, Greensboro, Ga.; Clarence M. Updegraff, Iowa City, Iowa; Louise Aubrey Wood, Eugene, Ore.

Employees: Albert E. Bilger, Sacramento, Calif.; Walter Jones, San Jose, Calif.; Harold J. Lane, Philadelphia, Pa.; Luisa Moreno, Los Angeles, Calif.; Leon Schacter, Camden, N.J.; Boris Shishkin, Washington, D.C.; Robert Thomson, Modesto, Calif.; Mrs. Earl Tise, Sugarland, Tex.; Anthony Valentino, Camden, N.J.; Mildred Voy, Detroit, Mich.

Employers: Harold K. Bachelder, Indianapolis, Ind.; Edward S. Guggenheim, Long Island City, N.Y.; Edward Huddleston, Oakland, Calif.; J. F. Johnson, Landisville, N.J.; Elvon Musick, San Francisco, Calif.; M. C. Peters, Lake Alfred, Fla.; Pratt Phillips, Jr., Salisbury, Md.; George Sanders, Fayetteville, Ark.; John Seeman, Mt. Vernon, Wash.; Joseph B. Weix, Oconomowoc, Wis.

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United States Maritime Commission.  
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Any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-lease Act).

(4) Delivery or shipment of foods set aside for purchase by government agencies pursuant to orders heretofore or hereafter issued by the Director General for Operations or the Secretary of Agriculture. Use of shipping containers for storage of such foods during the set-aside period pending government purchase shall be considered use for delivery or shipment for purposes of this order.

(5) Delivery, shipment or storage of "controlled meats," as defined in Restriction Order No. 1 of the Office of Price Administration, delivered or held for delivery "without charge against quotas" as provided by said order.

**LIST 3—AA-3**

Shipping containers or parts for the delivery or shipment of the following products (to the extent that such delivery or shipment is not covered by any preceding list):

*(Editor's Note—Items on this list that do not enter into food packing operations are not published here. Listed items of interest to food packers are the following:*

*Agricultural implements, dried apples, apricots, and peaches; fish and shellfish; specified fresh fruits and vegetables; fresh meat and meat products; fruit and vegetable juices,\* 10 gallons; pickled foods,\* 5 gallons.)*

**LIST 4—AA-4**

Shipping containers or parts for the delivery or shipment of the following products (to the extent that such delivery or shipment is not covered by any preceding list):

*(Editor's Note—On this list is included: Canned foods, dairy products not otherwise listed, dried frozen and preserved foods not otherwise listed, specified fresh fruits and vegetables, tin cans and tinware. List 5 (AA-5 ratings) is not reproduced here either. The only food item it contains is "fresh fruits and vegetables not elsewhere listed.")*

\* The preference rating assigned to List 3 uses is available to obtain shipping containers or parts only when packed without inner packaging or wrapping and only when the containers have a capacity equal to or greater than that indicated.

### California, Arizona Orange Handling Amendment

An amendment to Food Distribution Order 6.1 was issued on February 24 by the Department of Agriculture, allowing California and Arizona orange handlers more flexibility in meeting their weekly reservation requirements.

The amendment provides that if a handler sets aside, or diverts to processors, more fruit during a week than is required under the order, he may take credit for this excess amount in some future week. Under the original order, a handler was allowed to set aside less than required and make adjustment during the following week, but he was not permitted to take credit later for fruit set aside in excess of the amount required.

Under Food Distribution Order 6.1, California and Arizona orange handlers were ordered to set aside or divert to processors each week a quantity of fruit equivalent to 20 per cent of their fresh shipments. Purpose of the order is to divert sufficient quantities of oranges into processing channels to enable plants to work at capacity in meeting war requirements. The amendment was to become effective, February 28, the beginning of the next shipping period as designated in the order.

### PRICING OF CANNED CHICKEN PRODUCTS

#### Switched From GMPR To Regulation Covering Seasonal, Miscellaneous Commodities

Because ingredient costs have increased since March, 1942, the Office of Price Administration on February 22 removed canned chicken à la king, canned chicken and noodle dinner, and canned homestyle chicken from coverage under the General Maximum Price Regulation and placed them under the regulation governing seasonal and miscellaneous food commodities. This switch will restore to the producer a margin comparable to that obtained last March, it was stated.

OPA officials pointed out that the new pricing method will enable producers to use up packaging inventories for these chicken products, thereby putting material into consumption which otherwise might remain idle. However, it is indicated that the amounts of these three products which can be sold under the new Amendment No. 5 to Maximum Price Regulation No. 262 is limited at present because of War Production Board Conservation Order No. 104, which eliminates further metal caps for these products. However, there is a sufficient quantity on hand to necessitate the inclusion of these products in the miscellaneous regulation, it is stated.

Wholesalers will be permitted to pass on the exact dollar and cent increase to them under Amendment 3 to Maximum Price Regulation 255; and retailers will be able to pass on the same increase under Amendment 1 to Maximum Price Regulation 256. Text of the important sections of Amendment 5 to MPR 262 follows.

Sections 1351.954 (a)(1) and 1351.955 (a)(1) are amended; § 1351.959a is added; subparagraph (16) is added to § 1351.965 (a); and three commodities are added to the list in § 1351.969, all to read as set forth below:

**§ 1351.954 Maximum prices for listed seasonal food commodities.** \* \* \*

(a) \* \* \*

(1) No ingredient or packaging material subject to maximum prices prescribed by the Office of Price Administration shall be included in such costs at higher than the maximum purchase price to said producer. If the maximum purchase price is not a delivered price, the producer may add to this maximum purchase price the actual transportation costs which he incurred from the customary shipping point to his customary receiving point by the customary mode of transportation.

If any producer has heretofore calculated and reported a maximum price under this Maximum Price Regulation No. 262 without including such transportation charges, he may recalculate his maximum price in this respect only and report his recalculated maximum price in accordance with the method of reporting in § 1351.959 within 30 days after the effective date of this amendment.

\* \* \*

**§ 1351.955 Maximum prices for listed miscellaneous food commodities.** \* \* \*

(a) \* \* \*

(1) He shall include in such cost every ingredient or packaging material subject to maximum prices prescribed by the Office of Price Administration at the maximum price established for the commodity for the class of purchasers to which he belongs. If the maximum price is not a delivered price, the producer may add to this maximum price the actual transportation costs which he

incur from the customary shipping point to his customary receiving point by the customary mode of transportation.

If any producer has heretofore calculated and reported his maximum price under this Maximum Price Regulation No. 262 without including such transportation charges, he may recalculate his maximum price in this respect only and report his recalculated maximum price in accordance with the method of reporting in § 1351.959 within 30 days after the effective date of this amendment.

If the producer does recalculate and report a new maximum price, he shall also give new notices under § 1351.957 except that the 90-day period referred to therein shall be from and after the effective date of this amendment.

\* \* \*

**§ 1351.959a Time limits where commodities are included by amendment.**

(a) Whenever a commodity is included in this regulation by amendment on or after February 26, 1943, the producer of the commodity shall, within 30 days after the effective date of the amendment adding such commodity, calculate and report his maximum prices determined under the regulation to the Office of Price Administration at Washington, D. C., in accordance with the method of reporting set forth in § 1351.959. Unless this is done the producer cannot sell the commodity at all after said 30-day period until he does calculate and report his prices as required. After a producer has calculated and reported his maximum prices under the regulation as amended after December 31, 1942, the provisions of the General Maximum Price Regulation shall not apply to sales or deliveries by him of the commodity added by amendment; and thirty days after the effective date of such amendment, the provisions of the General Maximum Price Regulation shall not apply to sales or deliveries by producers of such commodity.

(b) Wherever in the preceding sections the words "effective date of this regulation" appear they shall read "effective date of this amendment" as applied to any commodity included in the regulation by amendment.

(c) The time within which maximum prices shall be calculated and reported for any commodity heretofore added to this regulation by amendment subsequent to December 31, 1942, shall be 30 days after the effective date of this present amendment, and this time limit shall have like effect and significance as to any such commodity as December 31, 1942 had in §§ 1351.951, 1351.952, 1351.953 and 1351.959 in reference to the initial commodities subject to this regulation prior to any amendment.

**§ 1531.965 Definitions.**

(a) When used in this Maximum Price Regulation No. 262 the term:

(16) "Canned homestyle chicken" means either whole chicken or any combination of the various parts of chicken with skin and broth purified by heat and packed in hermetically sealed containers.

**§ 1531.969 Appendix B: Miscellaneous food commodities covered by this regulation.**

The following miscellaneous food commodities are covered by and shall be governed by this Maximum Price Regulation No. 262.

\* \* \*

Canned chicken à la king  
Canned chicken and noodle dinner  
Canned homestyle chicken

---

**Benner Elected President of Illinois Canners**

William R. Benner of the Streator Canning Co., Streator, has been elected 1943 president of the Illinois Canners Association.

**Fay Hunter Joins FDA Manpower Branch**

The appointments of Fay Hunter and Arthur Holmaas to the Manpower Branch of the Food Distribution Administration were announced February 24 by the Department of Agriculture. Mr. Hunter transferred from the position of Chief of the Agricultural Division of the War Manpower Commission to act as Chief of the FDA Manpower Branch, under the direction of Deputy Director E. A. Meyer. Mr. Holmaas is Assistant Chief of the Manpower Branch and formerly was with the Division of Labor and Rural Industry of the Office of Agricultural War Relations in the Department.

At the same time the announcement of the personnel of the Manpower Branch was released, Mr. Meyer confirmed the appointment of Josiah G. Forte as acting chief of the Processors Branch of FDA. Mr. Meyer emphasized that Mr. Forte would be in charge of Industry Advisory Committee activities. Mr. Forte came to FDA from the War Production Board where he had engaged in industry committee work.

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**TEXTS OF NEW RESERVATION ORDERS**

**Regulations Supersede M-86 and M-86-e and Change Percentages for 1943 Packs**

Announcement was made in last week's INFORMATION LETTER of the issuance of new food orders by the Department of Agriculture covering the pack reservations that must be made by canners. These consisted of a basic order, FDO No. 22, which transferred the administration of former Order M-86 to USDA; FDO No. 22.1, transferring administration of former Order M-86-a (specifying percentages of 1942 packs for reservation); FDO No. 22.2, superseding M-86-e, and revising the set-aside percentages of canned fruits for the 1943 packs; and FDO No. 22.3, which accomplishes the same for the 1943 pack of canned vegetables.

It has been announced that Merritt Greene, formerly Chief of the Canned Foods Section of the War Production Board, will be Administrator of the FDO 22 series orders, with C. P. Sivertson, formerly of the Processed Fruit and Vegetable Section of the Office of Price Administration, as alternate.

Inasmuch as FDO No. 22.1 contains the same regulations as its predecessor order (M-86-a) covering 1942 pack reservations, except for transferring its administration to the Director of Food Distribution, it is not being reproduced, but texts of the basic order, No. 22, and of Orders 22.2, and 22.3 follow.

**FDO No. 22, Canned and Processed Foods**

**SECTION 1425.1 ALLOCATION AND RESTRICTIONS ON SALE AND DELIVERY**

**(a) Definitions.**

(1) "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by the Director.

(2) "Canner" means any person engaged in the business of canning foods in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(3) "Processor" means any person other than a canner engaged in the commercial processing of foods to produce a frozen, dried, pickled, preserved, or otherwise non-perishable product.

(4) "Pack" means the total amount (by weight unless otherwise specified) of all grades of any particular food canned by canners or processed by any processor during any packing season or during a crop year or calendar period specified by the Director as a quota period.

(5) "Government agency" means any officer, board, agency, commission, or government-owned or government-controlled corporation of the United States specifically designated by the Director.

(6) "Person" means any individual, partnership, corporation, association or other business entity.

(b) *Restrictions.*

(1) Each canner and each processor shall set aside for the requirements of government agencies such canned or processed foods packed by him as the Director may from time to time order, without regard to previously existing contracts. All such canned or processed foods so set aside shall, unless and until released, be held for allocation to any government agency by the Director. Orders to set foods aside pursuant to this paragraph (b) (1) may be by general supplementary order or by written notice by the Director to the individual canner or processor. There shall not be calculated as part of the foods required to be set aside by this paragraph, foods delivered to any government agency when not so allocated to such agency by the Director.

(2) Canned or processed foods required to be set aside for governmental requirements by any other order of the Secretary of Agriculture under Executive Order 9280 or by the Director pursuant to such an order, shall not be required to be set aside by this Order.

(3) The Director may allocate canned or processed foods to any government agency by specifically designating such agency as the authorized purchaser thereof, either by letter to the agency, by letter to the canner or processor, or by naming such agency in a general supplementary order. The Director will allocate foods pursuant to this Order only to the Army or Navy of the United States, the Marine Corps, the Coast Guard, the United States Maritime Commission, the War Shipping Administration, the Panama Railroad, the Treasury of the United States, the Coast and Geodetic Survey, the Veteran's Administration, the Department of Agriculture, and any agencies of the United States Government for supplies to be delivered to or for the account of the government of any country pursuant to the act of March 11, entitled "An Act to Promote the Defense of the United States" (Lend-lease Act), and any other agency when the Director shall find that allocation to such agency is directly essential to the war effort.

(4) If he determines that any canned or processed foods set aside pursuant to this Order are not required for government agencies, the Director may release such canned or processed foods at any time and may so notify the canner or processor, or he may delegate authority to release such foods to the agency to which he has allocated them.

(5) The Director may issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping, or he may authorize any government agency to issue such specifications.

(c) *Certificates and reports relating to the cans covered by this Order.*

(1) Certificates. Each canner who purchases any cans to pack any food for governmental use pursuant to this Order—whether such purchase is by contract or on open account order—shall furnish to the can manufacturer, from whom he buys, a certificate, signed by an authorized official, in substantially the form attached hereto as "Exhibit A", which shall constitute a certification to the Food Distribution Administration, United States Department of Agriculture, that such canner is familiar with the terms of this Order (in its present form or as it may be amended from time to time) and that, during the life of this Order, he will not

use any cans purchased from such can manufacturer in violation of its terms. Only one such certificate covering all present and future purchases from a given can manufacturer need be furnished by a canner to that can manufacturer but no can manufacturer shall be entitled to rely on any such certificate if he knows, or has reason to believe, it to be false.

(2) Reports. Each canner and each processor shall, within 15 days after he has completed a season pack, or in the instance of a non-seasonal product, at such times as may be prescribed mail to or file with the Food Distribution Administration, United States Department of Agriculture, a report thereof in such form as may be prescribed from time to time by the Director.

(d) *Inspection and grading.*

Any canned or processed foods required to be set aside under this Order shall be subject to inspection and grading at any time by the Director or by any person or government agency thereto authorized by him.

(e) *Records and reports.*

All persons affected by this Order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, purchases, production and sales, and shall maintain such other records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information, as the Director may from time to time request or direct, and within such time as he may prescribe.

(f) *Audits and inspections.*

Every person subject to this Order shall, upon request, permit inspections, at all reasonable times, of his stocks of canned and processed foods and premises used in his business, and all of his books, records and accounts shall upon request be submitted to audit and inspection by the Director.

(g) *Petition for relief from hardship.*

Any person affected by this Order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(h) *Violations.*

Any person who wilfully violates any provision of this Order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this Order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under Section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of Section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(i) *Communications to Department of Agriculture.*

All reports required to be filed hereunder and all communications concerning this Order shall, unless otherwise directed, be addressed to:

Director of Food Distribution  
United States Department of Agriculture  
Washington, D. C. Ref.: FD-22

(j) *Conservation Order M-86 superseded.*

This Order supersedes in all respects Conservation Order M-86, as amended and supplemented, of the War Production Board, except that as to violations of said Conservation Order, as amended and supplemented, or rights accrued, liabilities incurred, or appeals

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taken under said Order, as amended and supplemented, prior to the effective date hereof, said Conservation Order M-86, as amended and supplemented, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal pending under said Conservation Order M-86, as amended and supplemented, shall be considered under paragraph (g) hereof.

## EXHIBIT A—CANNER'S CERTIFICATE

Certificates required by paragraph (c) (1) of Food Distribution Order 22. One copy of this certificate is to be delivered to each can manufacturer from whom the canner purchases cans and is to cover all purchases present and future, so long as such Order, in its present form or as it may be amended from time to time, remains in effect.

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(Applicant's Name)

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(Applicant's Address) (Date)

In accordance with paragraph (c) (1) of Food Distribution Order 22, to conserve the supply and direct the distribution of certain canned foods, the undersigned hereby certifies—and this shall constitute a certification to the Food Distribution Administration, United States Department of Agriculture—that the undersigned applicant is familiar with the terms of said Food Distribution Order 22, and any and all amendments thereto, and that said applicant will not use any cans purchased from:

---

(Name of Can Manufacturer)

---

(Address of Can Manufacturer)

in violation of the terms of said Order and amendments.

---

(Legal Name of Applicant)

By \_\_\_\_\_

---

(Title of Official Reporting)

Section 35A of the U. S. Criminal Code (18 U. S. C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

**FDO No. 22.2, Canned Fruits and Fruit Juices****SECTION 1425.2 QUOTA RESTRICTIONS AND ALLOCATIONS***(a) Definitions.*

When used in this order the terms as defined in Food Distribution Order 22, shall have the same meaning unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

*(b) Quota restrictions.*

Every canner of canned fruits and fruit juices shall set aside to be delivered for the requirements of government agencies, a quota of canned fruits and fruit juices packed by him at any time in the calendar year 1943 or, when specified, in 1942-43. The quota to be set aside from a canner's pack of any product listed in Column A of Table I, attached hereto, packed during the quota period for that product, shall be computed by applying the percentage in Column B against the canner's total pack in the base period, including his pack both in metal and glass containers. If the type, style, variety or grade of any such fruits and fruit juices is described in Table I, such quota shall be in the type, style, variety and grade described, but other types, styles, varieties or grades shall be substituted to the extent that those specified in Table I are not packed. If a canner is preparing to pack during the quota period any fruits or fruit juices, listed in Table I, which he did not pack during the base period, and for which unlimited

tinplate is available under Section 1068.1, Conservation Order M-81, as amended, he shall so advise the Director of Food Distribution by letter, stating the anticipated quantities to be packed, and shall set aside a quota determined by applying the percentage set forth in Column B against the canner's total pack of the fruits or fruit juices in question during the quota period.

*(c) Definition of quota period.*

With the exceptions hereinafter listed, the quota period is 1943. In case of grapefruit, grapefruit juice, orange juice, and orange juice and grapefruit juice blended, the quota period is August 1, 1942, to July 31, 1943, in Florida, Texas, and Arizona, and December 1, 1942, to November 30, 1943, in California.

*(d) Definition of base period.*

The base period is in all cases the corresponding twelve-month period one year prior to the quota period.

*(e) Applicability of order.*

Fruits and fruit juices not listed in Table I are not required to be set aside. Fruits and fruit juices packed in the Hawaiian Islands must be set aside as prescribed by this order, but this order does not apply to fruits and fruit juices packed in other territories and possessions of the United States.

*(f) Provisions applicable when whole pack not set aside for Government.*

The following provisions apply whenever any product may be packed for nongovernmental requirements as well as for governmental requirements: To the extent that the canner's production of the first preference grade of such fruits and fruit juices specified in Column D is sufficient, at least two-thirds of the quota, but preferably the entire quota, shall be set aside from such grade. To the extent that the quantity so set aside does not fill his quota, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column E to complete his quota. To the extent that the quantities so set aside out of both first and second preference grades do not fill his quota, the canner shall set aside sufficient of his production of the third preference grade, if any, specified in Column F to complete his quota. If a canner packs both in tinplate and glass, insofar as the above grade standards permit the quota shall be set aside from the part packed in tinplate, and from the part packed in glass only when the part packed in tinplate is insufficient.

To the extent possible and insofar as compliance with the above grade requirements permits, at least two-thirds of the quota, but preferably the entire quota, shall be set aside in the largest can size specified in Column G. The balance shall be reserved in the largest can sizes available in the order of preference specified in Column G.

*(g) Reports.*

The report prescribed by paragraph (c) (2) of Food Distribution Order No. 22, shall be given on Form FD-343, revised. The report shall be filed within 15 days of the completion of the pack.

*(h) Purchase, inspection and specifications.*

Until further notice, the Army of the United States is hereby allocated the quotas prescribed by this order, to purchase for its own account and the account of other government agencies named in paragraph (b) (3) of Food Distribution Order No. 22, whenever it has agreed with such other agencies to do so. The Army of the United States and the Food Distribution Administration in the Department of Agriculture are also authorized to inspect and grade such canned foods pursuant to paragraph (d) of Food Distribution Order No. 22. The Army of the United States is also authorized to issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to paragraph (b) (5) of Food Distribution Order No. 22.

TABLE I.—CANNED FRUITS AND FRUIT JUICES

A	B	C	D	E	F	G
Product	Percentage of base period pack	Type, Style, Variety (Sequence does not denote preference)	Grade			Can sizes (Sequence denotes preference)
			First preference	Second preference	Third preference	
Apples.....	63	Heavy pack	Standard	Fancy		10
Applesauce.....	41		Fancy	Standard		10-2
Apricots.....	60	Halved, unpeeled	Choice	Standard	Pie or water pack	10-2½
Berries <sup>2</sup> .....	50		Water pack	(Fancy not desired)		10
Blueberries.....	100		Water pack	(Syrup pack not desired)		10
Cherries, RSP.....	70	Red sour pitted (water pack)	Standard	(Syrup pack not desired)		10-2
Cherries, sweet.....	65	Light or dark (pitted or unpitted)	Choice	Top Standard <sup>1</sup>	Fancy	10-2½-2
Figs.....	100	Kadota	Choice	Fancy		10
Fruit cocktail.....	164		Choice	Fancy		10-2½
Grapefruit.....	19	Segments	Fancy	Choice		2
Grapefruit juice.....	58	Sweetened, unsweetened	Fancy	Standard		10-3 cyl.-2
Orange juice (Fla.).....	45	Sweetened, unsweetened	Fancy	Standard		10-3 cyl.-2
Orange juice (States other than Fla.).....	21	Sweetened, unsweetened	Fancy	Standard		10-3 cyl.-2
Orange and grape- fruit juice blended.....	100	Sweetened, unsweetened (50% orange) (50% grapefruit)	Fancy	Standard		10-3 cyl.-2
Peaches.....	55	Yellow clingstone, halved or sliced	Choice	Top Standard <sup>1</sup>		10-2½
		Freestone (except Calif.) yellow—halved or sliced	Choice	Fancy		10-2½
Pears.....	60	Bartlett, halved	Choice			10-2½
Pineapple.....	70	Sliced, crushed, chunks, tidbits (except cocktail tidbits)	Fancy	Top Standard <sup>1</sup>	Fancy	10-2½
Pineapple juice.....	37		Fancy			10-3 cyl.-2

<sup>1</sup> Top Standard means 70-74 inclusive as defined in terms of U. S. grade.

<sup>2</sup> Blackberries, boysenberries, loganberries, youngberries only.

Percentage applies

to combined pack of these four varieties.

#### FDO No. 22.3, Canned Vegetables

##### SECTION 1425.3 QUOTA RESTRICTIONS AND ALLOCATIONS

###### (a) Definitions.

When used in this order the terms as defined in Food Distribution Order 22, shall have the same meaning unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

###### (b) Quota restrictions.

Every canner of canned vegetables shall set aside to be delivered for the requirements of government agencies, a quota of canned vegetables packed by him at any time in the calendar year 1943 or, when specified, in 1942-43. The quota to be set aside from a canner's pack of any product listed in Column A of Table I, attached hereto, packed during the quota period for that product, shall be computed by applying the percentage in Column B against the canner's total pack in the base period, including his pack both in metal and glass containers. If the type, style, variety or grade of any such vegetables is described in Table I, such quota shall be in the type, style, variety and grade described, but other types, styles, varieties or grades shall be substituted to the extent that those specified in Table I are not packed. If a canner is preparing to pack during the quota period any vegetables, listed in Table I, which he did not pack during the base period, and for which unlimited tinplate is available under section 1068.1, Conservation

Order M-81, as amended, he shall so advise the Director of Food Distribution by letter, stating the anticipated quantities to be packed, and shall set aside a quota determined by applying the percentage set forth in Column B against the canner's total pack of the vegetables in question during the quota period.

###### (c) Definition of quota period.

The period is 1943.

###### (d) Definition of base period.

The base period is in all cases the corresponding twelve-month period one year prior to the quota period.

###### (e) Applicability of order.

Vegetables not listed in Table I are not required to be set aside. Vegetables packed in the Hawaiian Islands must be set aside as prescribed by this order, but this order does not apply to vegetables packed in other territories and possessions of the United States.

###### (f) Provisions applicable when whole pack not set aside for Government.

The following provisions apply whenever any product may be packed for nongovernmental requirements as well as for governmental requirements. To the extent that the canner's production of the first preference grade of such vegetables specified in Column

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D is sufficient, at least two-thirds of the quota, but preferably the entire quota, shall be set aside from such grade. To the extent that the quantity so set aside does not fill his quota, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column E to complete his quota. To the extent that the quantities so set aside out of both first and second preference grades do not fill his quota, the canner shall set aside sufficient of his production of the third preference grade, if any, specified in Column F to complete his quota. If a canner packs both in tinplate and glass, insofar as the above grade standards permit the quota shall be set aside from the part packed in tinplate, and from the part packed in glass only when the part packed in tinplate is insufficient.

To the extent possible and insofar as compliance with the above grade requirements permits, at least two thirds of the quota, but preferably the entire quota, shall be set aside in the largest can size specified in Column C. The balance shall be reserved in the largest can sizes available in the order of preference specified in Column G.

## (g) Reports.

The report prescribed by paragraph (e) (2) of Food Distribution Order No. 22, shall be given on Form PD-343, revised. The report shall be filed within 15 days of the completion of the pack.

## (h) Purchase, inspection and specifications.

Until further notice, the Army of the United States is hereby allocated the quotas prescribed by this order, to purchase for its own account and the account of other government agencies named in paragraph (b) (3) of Food Distribution Order No. 22, whenever it has agreed with such other agencies to do so. The Army of the United States and the Food Distribution Administration in the Department of Agriculture are also authorized to inspect and grade such canned foods pursuant to paragraph (4) of Food Distribution Order No. 22. The Army of the United States is also authorized to issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to paragraph (b) (5) of Food Distribution Order No. 22.

TABLE I.—CANNED VEGETABLES

A Product	B Percentage of base period pack	C Type, Style, Variety (Sequence does not denote preference)	Grade			G Can sizes (Sequence denotes preference)
			D First preference	E Second / preference	F Third preference	
Asparagus.....	43	All green or culturally bleached	Fancy cut	Fancy spear		10-2
Beans, lima.....	37	Fresh	Extra Standard	Fancy	Standard	10-2
Beans, snap.....	38	Green, wax—cut	Extra Standard	Top Standard <sup>1</sup>	Fancy	10-2½-2
Beets.....	100	Cut, quartered, diced, sliced, whole 1½" diameter and under	Fancy	Top Standard <sup>1</sup>		10-2½-2
Carrots.....	130	Diced	Fancy	Top Standard <sup>1</sup>	Standard except for size (chips)	10-2½-2
Corn, sweet <sup>2</sup> .....	40	White, yellow—cream style, whole kernel	Fancy	Extra Standard	Top Standard <sup>2</sup>	10-2
Peas.....	48	Alaska—3, 4, sieve; sweet—3 sieve and larger, ungraded	Extra Standard	Top Standard <sup>2</sup>	Fancy	10-2
Pumpkin or squash.....	51		Fancy	Top Standard <sup>1</sup>		2½
Spinach.....	48		Fancy	Top Standard <sup>1</sup>		10-2½
Tomatoes.....	40		Extra Standard	Top Standard <sup>2</sup>		10-2½-2
Tomato catsup.....	61		Fancy 29%—33% solids	Fancy 33% solids or over	Fancy 25%—29% solids	10-3 cyl. 2½-2; 14 oz. glass or larger
Tomato juice.....	43		Fancy			10-3 cyl. 2
Tomato puree.....	71	Heavy (minimum specific gravity 1.045).	Fancy			10
Tomato paste.....	40		Fancy			10-2½-2

<sup>1</sup> Top Standard means 80-84 inclusive as defined in terms of U. S. grades. <sup>2</sup> Top Standard means 70-74 inclusive as defined in terms of U. S. grades. <sup>3</sup> Full inside enamel cans required. Number 10 cans to be used for whole kernel only.

## Senate Passes Anti-subsidy Legislation

Legislation to prevent government agencies from deducting subsidy, parity, conservation, incentive, or other payment with respect to agricultural commodities in making their determinations of parity or comparable prices and in the establishment of maximum prices, passed the Senate on February 25 by a roll call vote of 78 to 2. The measure (S. 660) is

supported by the leading farm organizations and firmly reiterates the Senate's opposition to subsidies. It also places the Senate on record as favoring increases in consumer prices for agricultural products to take care of rising costs.

The Senate also approved resolutions directing committee investigation of commodity prices in the District of Columbia and the labor shortage in the Pacific Coast and Rocky Mountain States.

## WANTED AND FOR SALE

### Machinery-Equipment

Names of member-firms who want to buy or who are offering for sale the machinery and equipment items listed below will be furnished upon application to the Association. When requesting names, be sure to give the number of the item referred to (68-W and 89-S, etc.), and your firm name.

*This service is limited to publication of the items wanted or for sale and to furnishing the identity of buyer or seller on request.*

### WANTED

68-W—Tomato skin pump.

69-W—New or second hand "Mighty Midget" mobilift (Vaughan Motor Co. Catalog No. TAW).

70-W—Pea and bean filler for No. 10 cans. Must be in good condition.

71-W—Urschel dicer. First preference—Urschel Model B to cut  $\frac{1}{4}$  x  $\frac{1}{4}$  x  $\frac{1}{4}$ -inch cubes; Second choice—Urschel Model 6 dicer, to cut  $\frac{1}{8}$  x  $\frac{1}{8}$  x  $\frac{1}{8}$  x  $\frac{3}{16}$ -inch cubes. Will buy machine outright, or rent until June 15.

72-W—Sixteen dozen 12-quart enamel pails.

73-W—Fourteen dozen pans,  $2\frac{1}{2}$ -inches deep, inside bottom, 10 by 15 $\frac{1}{2}$  inches long.

### FOR SALE

89-S—Huntley 18' blancher with temperature control.

### Lee Dingee, Well-known Texas Canner, Dies

Lee Dingee, of Lee Dingee, Inc., Lindale, Texas, died February 13 at Lindale, at the age of 60. Widely known in canning and brokerage circles, Mr. Dingee entered the industry in 1898 with the McCord Collins Company of Fort Worth, Texas.

Later he became vice-president and sales manager of the Fame Canning Company, and when it was acquired by Stokely Brothers in 1928, Mr. Dingee took a similar post with Columbus Foods Corporation, at Columbus, Wis.

Leaving Columbus Foods several years ago he was with the Stokely Company for a short time and then organized his own brokerage firm at Dallas, Texas, under the name Lee Dingee & Sons. Later, when canning in Texas expanded, he acquired factories at Lindale, Rusk and Clarksville which he operated under the name Lee Dingee, Inc.

Survivors are his widow, a daughter and the two sons who were associated with him in business.

### New Method For PD-1A Applications

Another step in decentralization of War Production Board activities was made public February 24, when Chairman Donald M. Nelson announced a new WPB administrative order which directs that, after March 1, applications for priority assistance on Form PD-1A be filed with the nearest of the 131 WPB district offices, and authorizes the 12 Regional Offices, beginning March 15, to assign preference ratings on PD-1A certificates to deliveries of materials valued at \$100 or less.

### Dr. Sherman Heads New Nutrition and Home Economics Bureau Research Set Up by USDA

Consolidation of two agencies in the Agricultural Research Administration to form a new Bureau of Human Nutrition and Home Economics, and appointment of Dr. Henry C. Sherman as its Chief, was announced February 21 by Secretary of Agriculture Claude R. Wickard. The agencies consolidated are the old Bureau of Home Economics, and the Division of Protein and Nutrition Research of the Bureau of Agricultural Chemistry and Engineering. Dr. Hazel K. Stiebeling, well known for her work on food consumption and the application of nutritional science to practical needs, will be Assistant Chief of the Bureau.

In addition to the laboratories and personnel of the present Bureau of Home Economics, Research Administrator E. C. Auchter pointed out that Dr. Sherman will have other laboratories and personnel at his disposal through the transfer of the Protein and Nutrition Division. This agency, headed by Dr. D. Breese Jones, has done much to advance knowledge of the nature and functions of the proteins in food, one of the most complex and important fields in human nutrition.

Born in Ash Grove, Virginia, Dr. Sherman received his B.S. degree from the University of Maryland, where for a time he was Assistant in Chemistry, and his M.A. and Ph.D. from Columbia. After serving for several years on the teaching staff at Columbia, he was made head of the Department of Chemistry in 1919 and held this post until 1939. He has been Mitchell Professor of Chemistry at Columbia since 1924.

At the same time the appointment of Dr. Louise Stanley as special assistant to Research Administrator Auchter was announced.

Dr. Stanley is to devote full time to her new duties. All food research problems relating to foreign countries and sent to the Research Administration will be referred to her.

Her twenty years' experience in the Bureau of Home Economics will have a direct application to Dr. Stanley's new work. She became Chief of the Bureau when it was first organized in 1923.

A native of Nashville, Tennessee, Dr. Stanley was a pioneer in applying science to the needs of consumers, especially in relation to the everyday problems of living. Before joining the Federal service, she taught and conducted research at the University of Missouri, where she was head of the Home Economics Department.

### Agricultural Research Administration Changed

Major changes in two bureaus of the Agricultural Research Administration were announced by the Department of Agriculture on February 23.

Agricultural engineering research, and also the research on chemical weed eradication and effluent contaminants, are transferred from the Bureau of Agricultural Chemistry and Engineering to the Bureau of Plant Industry. The latter will hereafter be known as the Bureau of Plant Industry, Soils, and Agricultural Engineering.

The direction of the four Regional Research Laboratories is transferred to the Bureau of Agricultural Chemistry and Engineering, which will hereafter be known as the Bureau of Agricultural and Industrial Chemistry.

### Sugar Regulation Changed by Rationing

Two changes in sugar rationing regulations were made by the Office of Price Administration, February 24, to meet situations caused by establishment of ration banking.

By one change, a person is not in violation of the regulations when he delivers sugar for stamps or certificates to the holder of a ration bank account unless he knows or has reason to believe that the receiver of the sugar is a depositor, and therefore should give him a ration check instead of stamps or certificates.

By the other, the definition of "depositor" is amended so that a person who has a ration bank account will be considered a depositor only in relation to such of his establishments as are served by ration bank accounts.

The changes are made in Amendment No. 42 to Rationing Order No. 3, and are effective March 2.

### LIST OF RATIONED FOODS INCREASED

#### Amendment Adds Dried and Dehydrated Soups, Dry Beans, Lentils and Peas

Formal action to add dried and dehydrated soups and all dry beans, lentils, and peas to the list of rationed foods was taken February 22 by the Office of Price Administration.

This group was added to others already covered by Ration Order No. 13 through issuance of Amendment No. 1 to the order. The amendment became effective at once. The order previously had covered all fruits, fruit juices, vegetables, vegetable juices, soups, and baby foods packed in hermetically sealed containers of any type and sterilized by the use of heat; all frozen fruits and vegetables, all dried and dehydrated fruits.

The amendment, text of which follows, also expands the list of foods specifically not covered by Ration Order 13.

Text of Amendment 1 to Ration Order 13 follows:

1. Section 1.1 (a) is amended to read as follows:

(a) The following foods called "processed foods," are covered by this order:

- (1) All fruits, fruit juices, vegetables, vegetable juices, soups, and baby foods, packed in hermetically sealed containers of any type and sterilized by the use of heat;
- (2) All frozen fruits and vegetables;
- (3) All dried and dehydrated fruits and soups;
- (4) All dry beans, lentils, and peas.

The only foods in the above group which are not covered by this Order are: Candied fruits; brandied fruits; cereals; chili con carne; fruit cakes; fruit puddings; mince meat; bouillon cubes; milk; olives; maraschino cherries; potato salad; popcorn; nuts and nut meats; frozen fruits and vegetables in containers over ten (10) pounds; fruit and vegetable juices in containers over one (1) gallon; jams, jellies, marmalades, fruit butters, and other similar preserves; meat stews containing some vegetables; fruit drinks containing 50 per cent or less by weight of natural fruit juices; prepared spaghetti, macaroni, noodles or similar paste products packed in hermetically sealed containers even if mixed or combined with added vegetable sauces; pickles and relishes, including pickled watermelon, cocktail onions, cocktail mushrooms, cocktail oranges, and other similar pickled specialties; and by-products of fruits or vegetables, such as soya bean oil, soya bean milk, fruit and vegetable dyes, and similar products. The foods not covered by this order are not "processed foods" as that term is used.

2. Section 3.1 (a) (1) is amended to read as follows:

- (1) A person produces processed foods:
- (i) If he bottles, cans, or packs fruits, fruit juices, vegetables, vegetables juices, soups, or baby foods, in hermetically sealed containers and sterilizes them by the use of heat; or
- (ii) If he packs and freezes fruits or vegetables in containers of ten (10) pounds or less; or
- (iii) If he sorts, washes, and dries or dehydrates fruits; or
- (iv) If he packs frozen fruits or vegetables from containers over ten (10) pounds into containers of ten (10) pounds or less; or
- (v) If he packs fruit or vegetable juices from containers over one (1) gallon into hermetically sealed containers of one (1) gallon or less and sterilizes them by the use of heat; or
- (vi) If he sorts, washes, and cleans dry beans, lentils, or peas; or
- (vii) If he packages dried or dehydrated vegetables or meat stocks whether or not in combination with noodles or other similar paste products, for use as a dried soup or soup base; or
- (viii) If he uses processed foods to produce other processed foods (as, if he uses canned peaches to make canned fruit salad).

[NOTE: Not all items in the above groups are processed foods as that term is defined. For example, fruit and vegetable juices packed in containers over one (1) gallon are not processed foods. Canned olives are not processed foods. Therefore, a person who packs fruit juices in containers over one (1) gallon, or who cans or bottles olives, does not thereby produce a processed food.]

3. Section 21.1 (a) (10) is amended to read as follows:

(10) "Processed foods" means:

- (i) All fruits, fruit juices, vegetables, vegetable juices, soups, and baby foods, packed in hermetically sealed containers of any type and sterilized by the use of heat;
- (ii) All frozen fruits and vegetables;
- (iii) All dried and dehydrated fruits and soups;
- (iv) All dry beans, lentils, and peas.

The only foods in the above group which are not covered by this Order are: Candied fruits; brandied fruits; cereals; chili con carne; fruit cakes; fruit puddings; mince meat; bouillon cubes; milk; olives; maraschino cherries; potato salad; popcorn; nuts and nut meats; frozen fruits and vegetables in containers over ten (10) pounds; fruit and vegetable juices in containers over one (1) gallon; jams, jellies, marmalades, fruit butters, and other similar preserves; meat stews containing some vegetables; fruit drinks containing 50 per cent or less by weight of natural fruit juices; prepared spaghetti, macaroni, noodles or similar paste products packed in hermetically sealed containers even if mixed or combined with added vegetable sauces; pickles and relishes, including pickled watermelon, cocktail onions, cocktail mushrooms, cocktail oranges, and other similar pickled specialties; and by-products of fruits or vegetables, such as soya bean oil, soya bean milk, fruit and vegetable dyes, and similar products. The foods not covered by this order are not "processed foods" as that term is used.

4. Section 21.1 (a) (12) is amended to read as follows:

(12) "Processor establishment" means any place where a "person" produces "processed foods" for sale or "transfer."

A person is considered to "produce" if he:

- (i) Bottles, cans or packs fruits, fruit juices, vegetables, vegetable juices, soups, or baby foods in hermetically sealed containers and sterilizes them by the use of heat; or
- (ii) Packs and freezes fruits or vegetables in containers of ten (10) pounds or less; or
- (iii) Sorts, washes, and processes dried or dehydrated fruits; or
- (iv) Packs frozen fruits or vegetables from containers over ten (10) pounds into containers of ten (10) pounds or less; or
- (v) Packs fruit or vegetable juices from containers over one (1) gallon into containers of one (1) gallon or less; or
- (vi) Sorts, washes, and cleans, dry beans, lentils, or peas; or

(vii) Packages dried or dehydrated vegetables or meat stocks whether or not in combination with noodles or other similar paste products, for use as a dried soup or soup base; or

(viii) Uses processed foods to make other processed foods. The term "processor establishment" also means any place to which a person imports processed foods into the United States, from any place outside the United States, for sale or transfer. It also includes a place at which a person does not produce or import processed foods, if he regularly keeps there, for sale or transfer, only processed foods which he himself produced or imported. Finally, there is one case in which a place where a person keeps stocks of processed foods produced or imported by someone else is a processor establishment. If he keeps those stocks at that place just to use them to produce other processed foods, that place is a processor establishment.

### Food Rationing for Restaurants and Hotels

Rationing of processed foods to restaurants, hotels and other eating establishments on a basis designed to restrict consumption by their patrons on about the same basis that the individual is restricted on his meals at home, was announced February 24 by the Office of Price Administration.

The restriction cuts the amount of processed foods that such eating establishments will receive on the basis of the amount used and the number of persons served during December, 1942. The first ration period for these "institutional users" will cover March and April instead of the single month of March as in the case of home consumers.

### Gasoline Rationing Simplified for Truck Operators

The Office of Price Administration and the Office of Defense Transportation have arranged for the mailing of third and fourth quarter transport rations to all commercial motor vehicle operators who hold single-unit Certificates of War Necessity.

This means, the OPA and ODT pointed out, that after July 1, 1943, only 243,000 of the nation's 3½ million truck, bus, and taxicab operators need to appear personally before War Price and Rationing Boards for the quarterly renewal of their gasoline rations. Gasoline coupons cannot be mailed to this group, which holds fleet-unit certificates, because fleet rations usually are issued in such large quantities as to make mailing hazardous and difficult, it was pointed out.

However, fleet operators will be notified by their rationing boards when their gasoline coupons are ready, and they may then pick them up without delay or the use of further application forms.

So that local rationing boards may prepare gasoline rations for mailing, it will be necessary for holders of ODT Certificates of War Necessity to present their certificates to their ration boards once before July 1. At the time the certificate is presented, the operator's quarterly allotments, as they appear on the certificate for the full calendar year, will be recorded.

In the event of changes, corrections or appeals to an operator's certificate, the ODT office handling the matter should also be notified of the address of the operator's local War Price and Rationing Board, so that the board may be advised of any change by ODT in value of the certificate. The new procedure is contained in Amendment 25 to OPA Ration Order 5C, effective March 2.

### Approved Processes for Atlantic, Gulf Coast Oysters Along with Increased Fill of Container

The increased fill of container requested by the War Production Board—7½ ounces of oysters in a No. 1 can instead of 5 ounces, and 14 ounces in a No. 2 can instead of 10 ounces—was announced in the INFORMATION LETTER for November 7, 1942.

The Atlantic and Gulf Coast oyster processes listed in N. C. A. Bulletin 26-L, Fifth Edition, "Processes for Non-Acid Canned Foods in Metal Containers," are for the former 5 and 10 ounces in No. 1 and No. 2 cans. Equivalent processes have been determined for the 7½ and 14 ounces in No. 1 and No. 2 cans and were approved at the Process Conference held February 1 and 2 in Chicago. These are as follows:

Product	Can name	Dimension	Process time	Process time
			at 250°F Minutes	at 240°F Minutes
Oysters, Cove, Atlantic and Gulf Coast	No. 1 (Picnic)	211 x 409	13	23
	No. 2	307 x 409	13	27

### Price Freeze Placed On Seven Fresh Vegetables

Acting to avert further price advances in fresh vegetables which might have been spurred by broadened national demand as America's housewives shifted their buying habits from now rationed canned goods to fresh produce, the Office of Price Administration on February 22 placed emergency price ceilings over five of the country's major fresh vegetable crops, all previously uncontrolled.

Effective February 23, 1943, no distributor of tomatoes, snap beans—green or wax—carrots, cabbage or peas was permitted to sell these commodities at higher than he did during the five days between February 18 and 22, 1943.

Excepting only the grower, the 60-day "freeze" order was to apply to sales by the country shipper who buys the farmer's produce, to terminal market receivers, to wholesalers and to the neighborhood grocery store at whose counters the consumer makes her daily purchases.

OPA on the following day added two more vegetables—spinach and lettuce—to the 60-day freeze order.

### M-81 Changes Effect Bacon, Condensed Milk

Among provisions of Conservation Order M-81, as amended February 18, chief of which applied to certain general line cans, was a change of the can size of condensed milk cans. Under the order as amended December 9, 1942, 14-ounce cans were required; the new provision changes this to a 15-ounce can, considered better suited to canners' equipment. Another changed provision permits the packing of bacon in 24-ounce cans as well as 14-ounce, for Lend-lease shipment.

### New Officers of New Jersey Association

Following are the 1943 officers elected by the New Jersey Canners Association: President, Oscar Hunt, Edgar F. Hurff, Swedesboro; vice president, E. W. Montell, Campbell Soup Co., Camden; secretary-treasurer, Newlin W. Watson, R. S. Watson and Son, Greenwich (re-elected).

### **Coordinator Designates Fisheries Consultants**

Secretary of the Interior Harold L. Ickes announced on February 24 the designation of a number of representatives of various phases of the fishing industry as consultants to the Office of the Coordinator of Fisheries.

Including 17 qualified representatives from the fields of management, labor, and consumer interests, these men will meet at intervals in Washington at the instance of the Coordinator. Their primary function will be to advise him regarding production problems and policies affecting the domestic fisheries. The following were designated:

William P. Ballard, Ballard Fish & Oyster Co., Norfolk, Va.  
 C. Allen Greiner, Southern Shellfish Co., Harvey, La.  
 Joseph F. Jurich, Int'l. Fishermen and Allied Workers of America, Seattle, Wash.  
 Capt. Patrick McHugh, Atlantic Fishermen's Union, Boston, Mass.  
 Moses Pike, Holmes Packing Corp., Eastport, Me.  
 Thomas F. Sandoz, Columbia River Packers Ass'n, Astoria, Ore.  
 Harry R. Beard, New England Fish Co., Seattle, Wash.  
 Fred Gunderson, Seattle, Wash.  
 Harvey Lewis, Gulf Coast Seafood Producers & Trappers Association, Morgan City, La.  
 John H. Matthews, Chesebrough, Robbins & Graham Co., New York City, N. Y.  
 A. J. Robida, Fish Producers Exchange of Florida, Inc., Jacksonville, Fla.  
 Dr. Colston Warne, Amherst College, Amherst, Mass.  
 Frederick McG. Bundy, Gorton-Pew Fisheries Co., Gloucester, Mass.  
 Leland B. Irish, Coast Fishing Co., Wilmington, Calif.  
 Fred J. Mullins, East Bay Fisheries, San Francisco, Calif.  
 John Nagle, John Nagle Co., Boston, Mass.  
 Oliver H. Smith, Smith Brothers, Port Washington, Wis.

First meeting of the consultants will be in Washington March 1 and 2 to review the Department's program for solution of wartime problems of the fishing industry.

### **WPB Plans Priorities Office for Honolulu**

The War Production Board will open an office in Honolulu on March 10 to take over the administration of priorities in the Islands, it was announced by Chairman Donald M. Nelson.

The new WPB field office in Honolulu will be under jurisdiction of the San Francisco Regional Office. Immediate work in the Islands will be initiated by C. H. Mattheissen, Jr., formerly Director of the Bureau of Priorities in Washington, assisted by Gilbert Kneiss, appointed to act for the San Francisco office.

Full authority to assign preference ratings to orders to be delivered to or in the Islands has been delegated to the San Francisco Regional Director, who may also grant exemptions from the provisions of WPB limitation and conservation orders, upon authorization by the Director General for Operations.

Commencing March 10, all Hawaiian requests for priority assistance in the delivery of materials or commodities for other than direct military needs will be made on Form PD-1A, filed with the Honolulu office. This office will screen the requests, forwarding approved applications to WPB's San Francisco office and recommending shipping dates. In San Francisco, each application will be taken up with shipping authorities. If space is expected to be available, a preference rating in keeping with the recommendation of the Honolulu office will be assigned.

### **Concrete Reinforcing Bar Restrictions Eased**

A limited relaxation of restrictions on the use of concrete reinforcing bars, which were put into effect some months ago, has been announced by the Conservation Division of the War Production Board.

As a result of the change, steel reinforcement bars will now be permitted in many types of structures, if it can definitely be shown that the war effort will thereby be better served or protected, particularly against fire hazards or sabotage. Also they will be permitted in construction which may serve a useful purpose after the war.

Among permitted uses are: (a) Additions to existing fire-proof structures, (b) Boiler houses and where high temperature operations are to be carried on, and (c) Warehouses for storage of vital, or critical commodities such as finished products or parts.

### **Limitations on Container Boards Are Lifted**

All limitations on production of container board, folding box board, set-up box board and special industrial boards were removed February 23 by the War Production Board through issuance of General Conservation Order M-241 as amended.

The amended order removed these paper products from the restricted percentage list (List A) and added them to the unrestricted list (List B). Prior to the amendments, quarterly production of container board was allowed at a rate not to exceed 100 per cent calculated on the six-month base period ending March 31, 1943. An exception was container board from waste, which was on the unrestricted list. Folding and set-up box board had a quota of 80 per cent and special industrial boards 90 per cent.

Manufacture of waterproof "V-boxes" for overseas shipment to the armed forces and boxes for shipment of food and materials for military and important civilian uses, have made heavy demands on the container board industry, the Pulp and Paper Division of WPB announced.

These demands have brought about a shift to additional production of container board by folding and set-up box board producers who could make the change, with resultant added burden on the remaining producers in the latter fields, where requirements for items replacing scarce materials such as metal and wood have increased rapidly and exceeded expectations. Reduced tonnage of wood containers for fruits, vegetables and meat packing affected the fibreboard box industry.

### **Canned Sauerkraut Sales Ban Is Removed**

Restrictions on the sale and delivery of canned sauerkraut by canners, wholesalers, jobbers, brokers, and chain-store warehouses have been removed by revocation of the War Production Board's Conservation Order M-245.

As originally issued on October 23, 1942, the order was intended primarily to conserve the supply of canned sauerkraut for warm months by diverting consumption to bulk sauerkraut, which does not preserve well in warm weather. The order has served its purpose, states WPB.

However, wholesalers, jobbers, and other wholesale receivers are subject to the restrictions of WPB Conservation Order M-237, which is now being administered by USDA.